

7758. Adulteration of milk. U. S. * * * v. Home Dairy Co., a Corporation. Plea of nolo contendere to count 1 of the indictment. Fine, \$100 and costs. Remaining counts of indictment dismissed. (F. & D. No. 10401. I. S. No. 9340-p.)

On October 9, 1919, the grand jurors of the United States of America within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment in 4 counts in the District Court of the United States for the district aforesaid against the Home Dairy Co., a corporation, St. Louis, Mo., charging shipment by said company in the first count of said indictment, in violation of the Food and Drugs Act, on September 11, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product contained added water, and was dirty by the sediment test.

Adulteration of the article was charged in the first count of the indictment for the reason that a certain substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, water, had been substituted in part for milk, which the article purported to be, and for the further reason that the article consisted in whole or in part of a filthy animal substance.

On May 22, 1920, a plea of nolo contendere to the first count of the indictment was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs. The remaining counts of the indictment were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7759. Adulteration of evaporated milk. U. S. * * * v. United Bakers' Supply Co., a Corporation. Plea of guilty to count 1 of the information. Fine, \$25 and costs. Remaining counts of information dismissed. (F. & D. No. 10759. I. S. No. 6160-r.)

On September 12, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 3 counts against the United Bakers' Supply Co., a corporation, St. Louis, Mo., alleging shipment by said company, in the first count of the information, in violation of the Food and Drugs Act, on or about September 13, 1918, from the State of Missouri into the State of Kansas, of a quantity of an article, labeled in part "'Purity Brand' Evaporated Milk * * * Distributed by United Bakers' Supply Company, Saint Louis," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that a part of the milk was below standard in solids and fat and a part was below standard in fat.

Adulteration of the article was alleged in the first count of the information for the reason that a certain substance, to wit, a noncondensed milk product, had been substituted in part for evaporated milk, which the article purported to be, and for the further reason that noncondensed milk, containing an insufficient proportion of fat and total solids, had been mixed and packed with the article of food so as to reduce, lower, and injuriously affect its quality and strength.

On April 26, 1920, a plea of guilty to the first count of the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*